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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,307	10/03/2003	Chung-Ping Chi		9494

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HDSL
4331 STEVENS BATTLE LANE
FAIRFAX, VA 22033

EXAMINER

LESPERANCE, JEAN E

ART UNIT PAPER NUMBER

2629

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/677,307	Applicant(s) CHI, CHUNG-PING	
	Examiner Jean E. Lesperance	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The application filed October 3, 2003 is presented for examination and claims 1-14 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4-6 are rejected under 35 U.S.C. 102(e) as being unpatentable over US Patent # 6,650,315 ("Murai").

Regarding claim 1, Murai teaches a mouse control structure (mouse Fig.2 (10)), comprising a receiving space recessed from a top surface of a mouse (the paper tape, Fig.2 (21)) and a covering plate to cover the receiving space (the cover, Fig.2 (14)).

Regarding claim 4, Murai teaches the covering plate is removable from the mouse (the cover provided on the top of the housing of the mouse device (10) is detachable as seen in figure 4A).

Regarding claim 5, Murai teaches the covering plate is pivotally connected to the mouse by a pivot axis, a pivot slot or a pivot ring (a pair of spaced attaching sections

(40) each having a respective one of pivots 15 a and 15b (column 6, lines 48 and 49)).

Regarding claim 6, Murai teaches the covering plate is flipped to expose the receiving space (the cover (14) is flipped open to expose the paper tape (21)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 6,650,315 ("Murai") in view of US Patent # 6,466,154 ("Kim et al.").

Regarding claim 2, Murai teaches a mouse control structure (mouse Fig.2 (10)). The prior art teaches all the claimed limitations with the exception of providing a control panel disposed within the receiving space.

However, Kim et al. teach a remote controller integrated in a mouse wireless mouse having a multitude of buttons Fig.5 (211) as the control panel.

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the control panel 211 as taught by Kim et al. in the mouse disclosed by Murai because this would provide a remote controller integrated with a wireless mouse in which PC operating buttons and television operating buttons are operated independently to reduce inadvertent operations of the buttons (column 1, lines 50-54).

Regarding claim 3, Kim et al. teach the control panel includes a control key, a direction key and an audio transceiving structure for integrating controls of a DVD, a TV, a VIDEO, a CD and a recording pen therein (a remote controller integrated with a wireless mouse in which PC operating buttons and television operating buttons are operated independently to reduce inadvertent operations of the buttons (column 1, lines 50-54). See the motivation of claim 2.

Regarding claim 7, Kim et al. teach a control panel attached to an interior surface of the covering plate (the control panel button 211 of Figure 5A is attached to the interior surface of the covering plate Fig.5A (230). See the motivation of claim 2.

Regarding claim 8, Kim et al. teach the covering plate is transparent, translucent or colored (the cover member (230) covers the body 200 such that the television operating buttons 211 are covered (translucent) (column 3, lines 35 and 36). See the motivation of claim 2.

Regarding claim 9, Murai teaches mouse control structure (10), comprising a mouse with a receiving space recessed from a top surface thereof (printer receiver (16)). The prior art teach all the claimed limitations with the exception of providing a control panel disposed in the receiving space, and a covering plate removably or operably connected to the mouse for covering the control panel in the receiving space.

However, Kim et al. teach a remote controller integrated in a mouse wireless mouse having a multitude of buttons Fig.5A (211) as the control panel with covering plate 230.

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the control panel 211 as taught by Kim et al. in the mouse disclosed by Murai because this would provide a remote controller integrated with a wireless mouse in which PC operating buttons and television operating buttons are operated independently to reduce inadvertent operations of the buttons (column 1, lines 50-54).

Regarding claim 10, Kim et al teach the control panels comprises a plurality of control keys, a direction key and an audio transceiving structure (a multitude of buttons Fig. 4B (111)).

Regarding claim 11, Kim et al. teach the control panel integrates controls of DVD, TV, VIDEO, CD and recording pen therein (a remote controller integrated with a wireless mouse in which PC operating buttons and television operating buttons are operated independently to reduce inadvertent operations of the buttons (column 1, lines 50-54)).

Regarding claim 12, Murai teaches one side of the covering plate is pivotally connected to the mouse (a pair of spaced attaching sections (40) each having a respective one of pivots 15 a and 15b (column 6, lines 48 and 49)).

Regarding claim 13, Murai teaches the covering plate is pivotally connected to the mouse by a pivot axis, a pivot slot or a pivot ring (a pair of spaced attaching sections (40) each having a respective one of pivots 15 a and 15b (column 6, lines 48 and 49)).

Regarding claim 14, Kim et al. teach the covering plate is transparent or colored (the cover member (230) covers the body 200 such that the television operating buttons

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211 are covered (translucent) (column 3, lines 35 and 36) and it is obvious the covering plate has a color.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Lesperance whose telephone number is (571) 272-7692. The examiner can normally be reached on from Monday to Friday between 10:00AM and 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (571) 272-7691.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

or faxed to:

(571) 273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal drive, Arlington, VA, Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Jean Lesperance



Date 5/30/2006

Art Unit 2629



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600